

BDR 14-634
AB 160

EXECUTIVE AGENCY
FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: March 21, 2023

Agency Submitting: Department of Public Safety, Records, Communications, and Compliance

Items of Revenue or Expense, or Both	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Effect on Future Biennia
Information Technology (Expense)		\$1,171,000		
Information Techonology (Expense)		\$93,950		
Total	0	\$1,264,950	0	0

Explanation

(Use Additional Sheets of Attachments, if required)

AB160/BDR14-634 is an act relating to criminal records; providing for the automatic sealing of criminal records relating to certain convictions of a person and certain charges against a person; revising provisions relating to a petition to seal criminal records relating to certain charges brought against a person; and providing other matters properly relating thereto.

See AB160-RCCD statement attached for the full Fiscal Note explanation.

Name Jason Kolenut

Title ASO 3

GOVERNOR'S OFFICE OF FINANCE COMMENTS

Date Friday, March 10, 2023

The agency's response appears reasonable.

Name Amy Stephenson

Title Director

DESCRIPTION OF FISCAL EFFECT

BDR/Bill/Amendment Number: BDR 14-634/AB160

Name of Agency: Dept. of Public Safety State Police

Division/Department: Records, Communications and Compliance Division

Date: 03/01/2023

AN ACT relating to criminal records; providing for the automatic sealing of criminal records relating to certain convictions of a person and certain charges against a person; revising provisions relating to a petition to seal criminal records relating to certain charges brought against a person; and providing other matters properly relating thereto.

Section 1 of this bill requires the Records, Communications and Compliance Division of the Department of Public Safety, not later than January 1, 2026, to develop and implement a process to identify each: (1) conviction of a person and each charge against a person that becomes an eligible conviction and eligible charge; and (2) agency of criminal justice or public or private company, agency, officer or other custodian of records that may reasonably be identified as having possession of records relating to an eligible conviction or eligible charge.

The Records, Communications and Compliance Division (RCCD) is currently in the process of replacing the majority of its criminal justice IT systems. The implementation is projected to be completed by calendar year 2025. To avoid delaying the 11 yearlong modernization effort which could result in a higher cost, the extensive programming necessary to comply with this legislation would need to be treated as a separate project after successfully implementing the current modernization effort. The modernization IT vendor provided an estimate based on the limited technical information in the bill of \$1,171,000 with a projected completion by approximately 2028. Furthermore, RCCD may require additional staffing to perform the preparation and after implementation tasks to comply with this legislation to include but is not limited to monitoring sealing activities, continuing to conduct outreach to the contributing agencies, running reports to determine data needs, manual entry of required data, and any other unknown record sealing activities realized after implementation of this legislation.

The RCCD may need to request a study specific to the Central Repository's systems and processes through a contracted entity to determine what resources, processes, information, IT system modifications, etc. the Central Repository will need in order to comply with this legislation prior to enhancing their criminal history record system. Funding is necessary to study the impact and proposed implementation time frame. An estimate of \$94,000 was provided by a national trusted company who has conducted similar studies within the State of Nevada.